

APPELLATE JUDICIAL COMMISSION
Instructions to Applicants

Pursuant to Supreme Court Rule 10.28 (copy attached), an application form is enclosed.

1. Complete and mail the original, signed application, **flat, unfolded and unbound**, to the Honorable Ronnie L. White, Chair, Appellate Judicial Commission, P. O. Box 150, Jefferson City, Missouri 65102. Applicants also must e-mail one copy of the application, saved as a Microsoft Word or PDF document, to the Commission in care of deiken@courts.mo.gov. Your application must be received by **5 p.m. Wednesday, October 20, 2004**, to be considered by the Commission.

NOTE: APPLICANTS FOR THIS VACANCY WHO APPLIED FOR THE BENTON VACANCY ON THE SUPREME COURT NEED NOT SUBMIT A NEW APPLICATION BUT MAY SIMPLY ADVISE THE COMMISSION VIA E-MAIL THAT THEY WISH TO APPLY. INTERVIEWS WILL NOT BE GRANTED TO APPLICANTS WHO WERE INTERVIEWED FOR THE BENTON VACANCY.

2. **E-mail** a copy of a **photograph** or snapshot along with your application to assist the Commission members in identifying the applicants.

3. After downloading the application, you may enter your answers directly onto the form, creating sufficient space for your answers. **If you did not apply for the Benton vacancy, please ensure that you are using only the application available via the Internet that is dated 09-28-04.**

4. Applicants should list not more than five persons who are thoroughly familiar with the applicant's personal and professional qualifications, and applicants shall provide those persons with the "Guidelines for References." Reference letters must be sent **electronically**, as a Microsoft Word or PDF document, to the Chair of the Appellate Judicial Commission **via e-mail** in care of deiken@courts.mo.gov. Telephone references will not be accepted. The Chair must receive letters of reference by **5 p.m. Wednesday, October 20, 2004**.

Supreme Court Rule 10.31 (copy attached) governs the conduct of applicants for judicial office. Direct or indirect solicitation of letters of endorsement to be sent to members of the Appellate Judicial Commission is discouraged.

5. Applicants should provide, **electronically**, a **sample of their legal writing** -- a document that shows how the applicant considers and addresses a legal issue (appellate briefs, law review or journal articles, written judicial decisions (if any), or other documents that reflect the applicant's ability to think and write) to the Commission Chair, Chief Justice White, **via e-mail** in care of deiken@courts.mo.gov. Send the sample as a **Microsoft Word or PDF document only**. Do not send hard copies of writing samples. Please do not provide a document that reflects the work of others, and limit the number of samples submitted to **no more than three samples**. Legal writing samples must be received no later than **5 p.m. Wednesday, October 20, 2004**.

6. Interviews with members of the Commission will be conducted on **Wednesday and Thursday, October 27 and 28, 2004**, at the Missouri Court of Appeals, Eastern District, in St. Louis. **You will be notified by e-mail of the time of your interview on or before October 25, 2004.**

SUPREME COURT RULE 10.28

PUBLICITY

When a vacancy occurs or when it is known that a vacancy will occur at a definite future date, the chair shall publicize the same and solicit the submission of names of individuals qualified for such vacancy. Prior to the meeting of the commission an appropriate questionnaire shall be sent to each person whose name is proposed, to be completed and returned to the chair of the commission. Copies of the completed questionnaire shall be provided each member of the commission prior to the meeting called for the taking of the formal action by the commission in making its nominations. No publicity shall be given by the commission of the names of persons under consideration for nomination for the reason that such publicity would tend to keep well qualified lawyers from permitting themselves to be considered and might encourage unqualified persons to enter their names to obtain public notice.

SUPREME COURT RULE 10.31

CANDIDACY AND SELECTION OF JUDGES

The conduct of candidates for any judicial office to be filled pursuant to section 25 (a)-(g) of article V of the Constitution shall be governed by and be in accord with the applicable provisions of the Rules of Professional Conduct and Canons of Judicial Ethics. In particular, the aspiration of lawyers for judicial position should be governed by an impartial estimate of their ability to add honor to the office and not by a desire for the distinction the position may bring to themselves. If a judge, or a person in an office of a judicial nature, becomes a candidate, the applicant should refrain from all conduct which might tend to arouse reasonable suspicion that the applicant is using the power or prestige of the judicial position to promote the candidacy. The applicant should not permit others to do anything in behalf of the candidacy that would reasonably lead to such suspicion.

It is the duty of the Bar to endeavor to prevent partisan considerations, political or otherwise, from outweighing judicial fitness in the selection of judges. The Bar should protest earnestly and actively against the selection of those who are unsuitable for the Bench.



APPELLATE JUDICIAL COMMISSION
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MEMBERS

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Mr. Steve Garner
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